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J1046 U.S. PTO

Docket # PF-0162-3 DIV

JC971 U.S. PTO

09/784739



02/14/01

"Express Mail" mailing label number EL 697 345 635 US I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on February 14, 2001

By:

Nancy RamosPrinted: Nancy Ramos

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)**

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a **DIVISIONAL** application under 37 CFR 1.53(b) of pending prior application Serial No. 09/309,320, filed on May 11, 1999, entitled A NOVEL GLUTATHIONE S-TRANSFERASE, which in turn is a divisional of Serial No. 09/096,571, filed June 12, 1998, which is a divisional of Serial No. 08/756,771, filed November 26, 1996.

1. X Enclosed is a specification corresponding to the prior application, U. S. Application Serial No. 09/309,320 filed May 11, 1999, including the oath or declaration as originally signed. The specification does not contain any subject matter that would have been new matter in the prior application.
2. X With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant divisional application is identical with the computer readable form filed with Serial No. 09/309,320, filed May 11, 1999, to which priority is claimed, which in turn is a divisional of 09/096,571, filed June 12, 1998, which in turn is a divisional of 08/756,771. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with U.S. Application Serial No. 08/756,771 as the computer readable form for the instant divisional application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant divisional application.
3. X Cancel in this application original claims 21-24 before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the

specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims.

4. X The inventor(s) of the invention being claimed in this application is (are): Surya K. Goli and Jennifer L. Hillman.
5. X In accordance with 37 CFR 1.63(d) a copy of the originally signed declaration showing applicants' signature as filed on April 14, 1997 is enclosed.
6.      Amend the specification by inserting after the title: "This application is a divisional application of U.S. application serial number 09/309,320, filed May 11, 1999, all of which applications and patents are hereby incorporated herein by reference."
7. X The filing fee is calculated below:

Claims	Number Filed	Minus	Number Extra	Other Than Small Entity Rate	Fee	Basic Fee \$710.00
Total Claims	20	-20	0	x \$18	0	\$0
Indep. Claims	3	-3	0	x \$80	0	\$0
<u>    </u> Multiple Dependent Claim(s), if any					+ \$270	\$0

**TOTAL FILING FEE \$ 710.00**

8.      An extension of time in the above-named prior application has been requested and the fees therefore have been authorized in said application.
9. X Please charge Deposit Account No. 09-0108 in the amount of \$710.00.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 09-0108.

A **duplicate** copy of this Request is enclosed.

10. X New formal drawings are enclosed.
11. X The prior application is assigned of record to Incyte Pharmaceuticals, Inc., recorded on April 18, 1997, at reel 8620/frame 0308.
12.      A preliminary amendment is enclosed.

13. X Also enclosed Information Disclosure Statement and List of References Cited by Applicants (PTO-1449 form).
14. X The power of attorney of the prior application is to:

Narinder S. Banait	Reg. No. 43,482
Adam Warwick Bell	Reg. No. 43,490
Lucy J. Billings	Reg. No. 36,749
Michael C. Cerrone	Reg. No. 39,132
Diana Hamlet-Cox	Reg. No. 33,302
Lynn E. Murry	Reg. No. 42,918
Danielle M. Pasqualone	Reg. No. 43,847
Susan K. Sather	Reg. No. 44,316
David G. Streeter	Reg. No. 43,168
Peng Ben Wang	Reg. No. 41,420

\_\_\_ The associate power of attorney in the prior application is to:

- a. X A Certificate Under 3.73(b), Revocation of Power of Attorney and Appointment of New Attorneys is enclosed.
- b. \_\_\_ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. X Address all future correspondence to:

**INCYTE GENOMICS, INC.**  
**PATENT DEPARTMENT**  
**3160 Porter Drive**  
**Palo Alto, California 94304**  
**Phone: (650) 855-0555, Fax: (650) 845-4166**

Date: February 14, 2001

By: Susan K. Sather  
Susan K. Sather  
Reg. No. 44,316  
Direct Dial Telephone: (650) 845-4646

- \_\_\_ Inventor(s)
- \_\_\_ Assignee of complete interest
- X Attorney or agent of record
- \_\_\_ Filed under 37 CFR 1.34(a)
- \_\_\_ Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_.